

1 SB192
2 104964-1
3 By Senator Little (Z)
4 RFD: Finance and Taxation General Fund
5 First Read: 03-FEB-09

SYNOPSIS: Under existing law, members of the Employees' Retirement System, the Teachers' Retirement System, and appellate judges who are members of the Judicial Retirement System may purchase credit for active full-time military service in the Armed Forces of the United States.

This bill would allow all judges who are members of the Judicial Retirement System to purchase credit for active full-time military service in the Armed Forces of the United States.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 36-27-49.3, Code of Alabama 1975, relating to credit for military service in the Retirement Systems of Alabama, to allow all judges who are members of the Judicial Retirement System to purchase credit for active

1 full-time military service in the Armed Forces of the United
2 States.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 36-27-49.3, Code of Alabama 1975,
5 is amended to read as follows:

6 "§36-27-49.3.

7 "(a) Whenever used in this section, all words and
8 phrases defined in Section 36-27-1 and Section 16-25-1 and
9 Title 12, Chapter 18, shall have the same meanings ascribed to
10 them in such sections and chapter, unless the context clearly
11 indicates that a different meaning is intended.

12 "(b) Any active and contributing member of the
13 Employees' or Teachers' Retirement System or any ~~appellate~~
14 judge in the Judicial Retirement Fund who has met the minimum
15 vesting requirements under said systems and who has honorable
16 duty consisting of active full-time military service in the
17 armed forces of the United States, exclusive of any summer or
18 weekend service in a reserve or national guard component of
19 any branch of the armed forces, and who has not received
20 credit for such service toward retirement status in the
21 Employees' or Teachers' Retirement System or any ~~appellate~~
22 judge in the Judicial Retirement Fund or any other public
23 pension fund including the U.S. armed forces, but excluding
24 the federal Social Security program, may be granted by the
25 Board of Control, membership service for up to four years of
26 such service in the armed forces, provided the member received
27 an honorable discharge on account of such service and provided

1 further said member complies with the provisions set forth in
2 subsection (d) of this section.

3 "(c) For a period of six months only following April
4 21, 1992, any active and contributing member of the Employees'
5 or Teachers' Retirement System of Alabama who has been such a
6 member for six consecutive years or more and who has honorable
7 duty consisting of active full-time military service in the
8 armed forces of the United States, exclusive of any summer or
9 weekend service in a reserve or national guard component of
10 any branch of the armed forces, and who has not received
11 credit for such service toward retirement status in the
12 Employees' or Teachers' Retirement System or any other public
13 pension fund including the U.S. armed forces, but excluding
14 the federal Social Security program, may be granted by the
15 Board of Control, membership service for up to four years of
16 such service in the armed forces, provided the member received
17 an honorable discharge on account of such service and provided
18 further said member complies with the provisions set forth in
19 subsection (d) of this section.

20 "(d) Any member eligible to claim and purchase such
21 credit for service under subsection (b) or (c) of this section
22 shall be awarded creditable service under the Employees' or
23 Teachers' Retirement System or any ~~appellate~~ judge in the
24 Judicial Retirement Fund of Alabama provided he or she, or his
25 or her spouse pursuant to subsection (c) only, shall pay into
26 said retirement system or fund, prior to said member's date of
27 retirement, a sum equal to the full actuarially determined

1 cost for each year of service credit, as determined by the
2 system's actuary."

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.